

## CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 8/9/2012

Action Requested By:  
Community  
Development

Agenda Item Type  
Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 49 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the August 9, 2012, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 7/31/2012

**RESOLUTION NO: 12-\_\_\_\_\_**

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

**WHEREAS**, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

**WHEREAS**, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294**" on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

**ADOPTED** this the 9th day of August, 2012.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 9th day of August, 2012.

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Mayor of the City of Huntsville, Alabama

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Arrington E. Herry 15112 Redgate Dr. Silver Spring, MD 20905-5729	3616 Emm Ell St SW LOT 10 BLK 5 SUB: HUNTSVILLE PARK	6-13-2012	\$197.97
Arrington E. Herry 15112 Redgate Dr. Silver Spring, MD 20905-5729	3618 Emm Ell St SW LOT 10 BLK 5 SUB : HUNTSVILLE PARK	6-13-2012	\$259.91
BAC Home Loans Servicing, LP c/o Hooks Van Holm, Inc. 8010 Roswell Rd., (Ste. 100) Atlanta, GA 30350	2219 WIMBERLY RD NW W1/2 OF LOT 11 & LOT 10 BL 1 WESTCHESTER S/D 1ST SEC	6-20-2012	\$246.44
Bank of America Home Loans Servicing LP Attn: Customer Service CA6-919-01-41 P.O. Box 5170 Simi Valley, CA 93062-5170	6514 WHITESBURG DR SE LOT 22 BL 3 FLEMING MEADOWS 2ND ADD PB 1 PG 339	6-26-2012	\$259.91
Barbara J. Bolden 2627 Slate Dr., SW Huntsville, AL 35803	2627 SLATE DR SW LOT 26 ASHTYNN MANOR A RESUB OF PART LOT 5 COMM 2000 SUB	6-19-2012	\$308.79
Christopher K. Hallum & Michelle R. Hallum 2700 Ridgeview Cir., SE Huntsville, AL 35803	2700 Ridgeview Cir SE LOT 1 BL 7 SUNSET COVE S/D 3RD ADD SURV DB 957/472 10/26/99	6-26-2012	\$259.91

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Deutsche Bank National Trust Co. 475 Crosspoint Pkwy. Getzville, NY 14068-9000	2005 Rosewood Dr NW LOT 1 BL 3 SHADY LANE S/D 4TH ADD PB 2 PG 62	6-18-2012	\$246.44
Ebrahim A. & Farimak K. Tehrani 1444 Dalewood Dr. Atlanta, GA 30329	3215 Teton Dr NW LOT 4 BL 6 VALLEY PARK HOMES S/D 2ND ADD	6-12-2012	\$259.91
Elizabeth S. Williams, (Deceased) 2819 Nob Hill Ct., NW Huntsville, AL 35810	2819 Nob Hill Ct NW LOT 11 BL 9 NOB HILL 3RD ADD	6-12-2012	\$238.44
EPT Huntsville, Inc. 30 W. Pershing Rd. (Ste. 201) Kansas City, MO 64108-2410	Vacant property at 1485 Four Mile Post Rd SE The Rave Theater UNIT D VALLEY BEND A CONDOMINIUM SIXTH AMENDMENT PB # 20080827000556300	6-19-2012	\$210.72
Eva McCary 418 South Plymouth Rd., NW Huntsville, AL 35811	418 South Plymouth Rd NW LOT 43 BL D COLONIAL HILLS ADD DD 417/289 12- 24-68	6-14-2012	\$259.91
GMAC Mortgage P.O. Box 780 Waterloo, IA 50704	2900 Battle Dr NW LOT 15, BLK 3 SUB: TERRY HGTS 3RD ADD	6-13-2012	\$259.91

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Attachment A, Page 3

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Gregory Conerly 517 Laurel Dr., NW Huntsville, AL 35811	1514 Beard St NW LOT 19 BL 4 WELLS 2ND ADD	7-9-2012	\$210.72
Hinomoto Realty, Inc. c/o Timothy B. Crowson 183 Shelton Rd. Madison, AL 35758	2007 UNIVERSITY DR NW OR .32a M/L DB 857/671 6/27/95	7-6-2012	\$259.91
Hubert Pershing Foundation, LLC c/o David A. Jaap 2505 Marline Ln. Huntsville, AL 35803	2302 Dunham Ave NW LOT 4 BL 1 TOWNVIEW S/D A RESUB OF PART OF LOT 2 & ALL OF LOT 3 OF THE OGLESBY S/D PB 2 PG 82	6-18-2012	\$259.91

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Jennifer S. Allen 3909 McVay St., SW Huntsville, AL 35805	3909 McVay St SW E1/2 OF LOT 29 NEWSON PENNEY ADD IN NW1/4 ALSO KNOWN AS ALL THAT PART OF LOT 29 A W NEWSON & ED PENNY MERRIMAC ADD DESC AS BEG AT A PT ON THE E LINE OF MACVAY ST 125 FT N OF THE INTERS OF THE S LINE OF SD LOT 29 & THE E LINE OF MCVAY ST THE N/WARDLY ALG THE E LINE OF MCVAY ST 75 FT TO A PT TH E/WARDLY & PARALLEL TO THE S LINE OF SD LOT 29 150 FT TO A PT TH S/WARDLY & PARALLEL TO THE E LINE OF MCVAY ST 75 FT TH W/WARDLY & PARALLEL TO THE S LINE OF SD LOT 29 150 FT TO THE P/O/B	6-14-2012	\$259.91
Jimmy Allen 5211 Durinda Ln., NW Huntsville, AL 35810	3007 Turf Ave NW LOT 17 BL 5 LOVE S/D 2ND ADD CHG FROM 3-1W-34-F- 33 PER COMP MAPPING STAT WARR SURV DB 887/651 12/16/96 PREV ASSD: COLONIAL BANK	6-13-2012	\$259.91
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 1 Blk 6 LOT 1 BL 6 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 4 Blk 6 LOT 4 BL 6 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 3 Blk 6 LOG 3 BL 6 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 5 Blk 6 LOT 5 BL 6 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 4 Blk 10 LOT 4 BL 10 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 1 Blk 10 LOT 1 BL 10 EAGLES NEST S/D 3RD ADD	3-14-2012	\$210.72

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 3 Blk 10 LOT 3 BL 10 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 5 Blk 10 LOT 5 BL 10 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 2 Blk 10 LOT 2 BL 10 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
John A. Dixon 1005 St. Rd. 84 No. 111 Fort Lauderdale, FL 33315	Vacant property north of 426 Andromedea Rd SE Lot 2 Blk 6 LOT 2 BL 6 EAGLES NEST S/D 3RD ADD	6-14-2012	\$210.72
Karen L. Borden 1112 Joshua Dr., SE Huntsville, AL 35803	1112 Joshua Dr SE LOT 6 BLK 3 STRATTON SQUARE 2ND ADD PB 12 PG 72	6-26-2012	\$228.94



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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
M & M Home Solutions, Inc. c/o Maleah Prevost 11505 Memorial Pky., S (Ste. 117) Huntsville, AL 35803	1108 TYLER RD NW LOT 6 BL 11 UNIVERSITY PARK EST 1ST ADD PB 3 PG 164	6-25-2012	\$259.91
Mary E. King, (Life Estate) P. O. Box 8700124 Morrow, GA 30287	3301 KAVANAUGH CIR NW LOT 25 BLK 4 MIMOSA HILLS S/D 3RD ADD PB 2 PG 146	7-9-2012	\$197.97
Michael A. & Claretha K. Jennings 3815 Millbrae Dr., NW Huntsville, AL 35810	Second vacant lot east of 3101 Chelsea Ln SW ALL TH PT OF THE SW1/4 OF SEC 14 BEG E 589.5 FT FR THE CEN OF THE W BDRY OF THE SW1/4 OF SD SEC 14 TH FR POB N 208.8 FT TO THE S EDGE OF CHELSEA LANE TH E 52.1 FT TH S 208.8 FT TH W 52.1 FT TO POB SEC 14 T4 R1W DB 635/324 6/18/84	7-9-2012	\$210.72

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Michael W. Deegan 103 Winchester Rd., NW Huntsville, AL 35811	Second vacant lot north of 4701 Meridian St NW TR 2 LOT 2 BLK 2 HVILLE IND PARK BEG AT PT ON W MAR OF MERIDIAN ST R/O/W FUR DESC AS E 40 FT & N 569.85 FT FR CEN OF E BDY OF SE1/4 OF SEC 12 TH FR TRUE P/O/B W 200 FT TH N 100 FT TH E 200 FT TO PT ON W MAR OF MERIDIAN ST R/O/W TH S ALG SD R/O/W 100 FT TO TRUE P/O/B SEC 12 T3 R1W	6-28-2012	\$210.72
Michael W. Deegan 103 Winchester Rd., NW Huntsville, AL 35811	First vacant lot north of 4701 Meridian St NW TR 1 LOT 1 BLK 2 HVILLE INDUSTRIAL PARK BEG AT PT ON W MAR OF MERIDIAN ST R/O/W FUR DESC AS BEG T PT LOC W 40 FT N 483.85 FT FR CEN OF E BDY OF SE1/4 SEC 12 TH FR TR P/O/B W 200 FT TH N 84.90 FT TH E 200 FT TO PT ON W MAR OF MERIDIAN ST R/O/W TH S ALG SD R/O/W LINE 86 FT TO TRUE P/O/B SEC 12 T3 R1W	6-28-2012	\$210.72
Paula Y. Lewis 3519 Flamingo Rd., SW Huntsville, AL 35805	3519 Flamingo Rd SW LOT 10 BL 15 HOLIDAY HOMES 3RD ADD	6-27-2012	\$259.91

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Quashana Shante & Wilfred C. Stewart 412 Marguerite Dr., NW Huntsville, AL 35805	412 Marguerite Dr NW LOT 8 BL 4 ALYNEDALE S/D PB 2 PG 157	6-28-2012	\$259.91
Ralph W. & Helen D. Young 3008 Vanderbilt Dr. Huntsville, AL 35801	406 EIGHTH ST NW LOT 11 BLK 3 WESTFIELD ADD	6-28-2012	\$259.91
RBC Bank 1927 First Avenue North Birmingham, AL 35203	Common Area in Lake Forrest Subdivision East of Cypress Point Dr and southwest of Cypress Garden Ave on Cypress Grove Ln NW COMMON AREA CYPRESS GARDENS AT LAKE FOREST LYING E OF BLOCK 15 & S OF BLOCK 7	6-19-2012	\$210.72
Regions Bank c/o Oreo Management Attn: ALBH P. O. Box 11007 Birmingham, AL 35203	Vacant property east of 3920 Meridian St on Chase Rd NE BEG 158 FT W FR CEN OF W BDRY OF SEC 18 TH N 125 FT TH W 18 FT TH N 125 FT TO RD TH E 122.70 FT TH S 250 FT TH W 104.70 FT TO BEG CONT .653A M/L SEC 18 T3 R1E	6-28-2012	\$271.44

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Scott Hall Ledbetter (Deceased) 413 Greenacres Dr., NW Huntsville, AL 35805	413 Greenacres Dr NW LOT 6 IN BLOCK 1 ACCORDING TO THE PLAT OF THE GREEN ACRES SUBDIVISION TO THE CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AS OF RECORD IN THE OFFICE OF THE JUDGE OFF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT BOOK 1, PAGE 274.	6-14-2012	\$197.97
SECRETARY OF HOUSING & URBAN DEVELOPMENT Beacon Ridge Tower, STE 300 600 Beacon Parkway West Birmingham, AL 35209-3144	3806 Oakwood Ave NW A RECTANGULAR TR OF LD 100 FT IN WIDTH BORDER N SIDE OF OAKWOOD AVE & 150 FT DEEP BEING DES AS W 100 FT & S 150 FT OF LOT 1 BL 1 HIGHLANDS 2ND ADD DB 973/326 06/23/2000	6-25-2012	\$259.91
SFS, LLC c/o Thomas G. Sullivan 17 N 20th St., (Ste. 310) Birmingham, AL 35203	Vacant property on northwest corner of Pulaski Pke and Boundary Ave NW PT OF NW1/4 OF NW14 OF SEC 35 BEG E 482.50 FT & S 5 DEG E 438.87 FT & E 561.22 FT FR NW COR OF SEC 35 TH AL W/M PULASKI PK N 30 DEG W 100 FT TH S 88 DEG W 220 FT TH S 30 DEG E 100 FT TH N 88 DEG W 220 FT TH S 30 DEG E 100 FT TH N 88 DEG E 220 FT TO BEG SEC 35 T3 R1W	6-7-2012	\$202.72

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Shawn Ethredge 3905 Gunnison Ln., NW Huntsville, AL 35810-	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD	6-25-2012	\$197.97
Terry A. Smith 14000 Percivale Dr., SE Huntsville, AL 35803	14000 PERCIVALE DR SE LOT 3 BL 4 CHIMNEY SPRINGS 5TH ADD	6-19-2012	\$197.97
Tessa S. Jackson 2518 Garth Rd., SE Huntsville, AL 35801	2518 GARTH RD SE LOT 21 BLK 5 HUNTS COVE S/D 3RD ADD PB 10 PG 66	6-15-2012	\$197.97
Timothy J. Pederson 2412 Huntsville St., NW Huntsville, AL 35811	2412 Huntsville St NW LOT 32 BL 10B RE S/D OF BLKS E F 10 KILDARE ESTS (A 10X200 SPLIT FOR 3-1W- 25.0 0-C-112 COMPUTER MAPPING)	7-6-2012	\$238.44
Ulises & Margarita C. Herrera Alfaro - Aguilar 3404 Grote St., SW Huntsville, AL 35805	3404 Grote St SW LOT 20 BL 4 RIDGECREST ADD PB 1 PG 268	6-14-2012	\$197.97
Vaughn A. Reeves 32 South Court St. (Ste. D) Sullivan, IN 47882	6315 Banks St NW LOT 16 NORTHSTAR S/D	6-29-2012	\$259.91

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Warren M. & Louise P. Thrailkill & Kathy Thrailkill 306 McAlpine Dr., SE Huntsville, AL 35803	2509 NEWBY RD SW LOT J RE S/D OF LOTS 3 4 5 & 6 BL 2 OF SPRINGDALE FARMS (CHG FR 4-1W-11.00- A-76 COMP/MAPP)	6-13-2012	\$210.72
William D. Scarborough (Heirs of) c/o Yvonne Fallon 911 Lake Shore Dr. Richmond, VA 23235	3503 Sparkman Dr NW LOT 6 BL 15 SCENIC VIEW HILLS 2ND ADD	7-9-2012	\$259.91